

Bill No. 920 – AN ACT CONCERNING THE STATUTE OF LIMITATIONS IN CARBON MONOXIDE POISONING CASES

Mr. Chairman Senator Coleman, Representative Fox and members of the Judicial Committee :

My name is Kelly Anderson and I am from Durham. I am a constituent of Senator Meyer who is a member of the judicial committee, and I am here today to offer testimony in support of bill # 920.

On December 17, 2004 I was poisoned by carbon monoxide. In recognition of my permanent brain damage, which has left my cognitive skills severely impaired (memory / problem solving / executive skills) it is necessary for me to read my testimony entirely, (after my husband gathered together all of my feelings and ideas and put them in writing), to express how all of these events have affected my life in a negative manner.

I was found unconscious in the home that I was leasing, taken to a hospital, and was given oxygen. I stayed in the hospital for a day and a half, and was told upon being discharged that I was okay. There wasn't anything listed within my hospital release papers stating that I had any medical problems that I would need to follow up with.

On November 29, 2010, I experienced a seizure and was taken to the hospital emergency room where I was given a CAT Scan which revealed that my brain had atrophied and now displayed the physical characteristics of an extremely elderly woman. The areas of the frontal lobe of my brain that enable me to handle anxiety, trauma and to perform cognitive skills were all very severely physically damaged.

I then followed up by making appointments with neurologists who requested that I have an EEG and MRI performed on my brain to determine the cause of my brain damage and what could be done to stop it.

On September 8, 2011, almost seven years since I had been poisoned by carbon monoxide, I was medically diagnosed by Dr. Duarte Machado (Assistant Professor of Neurology – Yale School of Medicine) and was told for the first time that my brain damage was caused due to the latent effect of carbon monoxide poisoning. Dr. Machado has provided written testimony to the Judicial Committee in support of Bill 920 along with scientific proof that CO has a latent impact on the brain. Dr. Machado's testimony also includes MRI pictures of my brain showing the severe physical brain damage I have suffered in comparison to a brain from a woman my age that had not been poisoned by CO.

Since first being poisoned by carbon monoxide, I have developed additional medical problems that I have been receiving treatment for (psychological – anxiety / depression; brain – seizure, memory / cognitive problems; sleep disorder - CPAP ) none of which had been previously diagnosed as being caused by carbon monoxide poisoning. Only at this point did all of the pieces fall into place showing that all of these medical problems that I have, were caused by the latent effect of carbon monoxide poisoning.

Now knowing that these very serious medical problems were directly related to my exposure to carbon monoxide, I made appointments with attorneys in order to find out what could be done in order for me to receive justice and restitution for the severe permanent physical and psychological damages that I suffered, and the large negative impact that they were having on my health and my life. The attorney's informed me about the Connecticut Statute of Limitations in regards to this statute only allowing an injured individual three years from the initial point of injury to seek damages. All of the attorney's that I have spoken with have told me that the current Connecticut Statute of Limitations is not a fair or good law when it is applied to people that have been injured by the latent effect of carbon monoxide poisoning.

I was also told that based upon the circumstances of my carbon monoxide poisoning, the attorney's would have been able to help me if my latent medical problems which were caused by CO had occurred within the three year time period that is currently allowed within the Connecticut Statute of Limitations.

Due to my carbon monoxide medical problems being latent, and falling outside the window allowed within the statute, I was told that there was nothing that the attorneys could do for me. My spirit and heart sank when I realized that the existing statute was written in a manner where it would be working against everyone in the State of Connecticut that had been permanently, latently, injured by carbon monoxide poisoning caused by negligence, when their serious medical problems appear after the three year period allowed in the statute expires.

I appeared and testified before the Judiciary Committee in March of 2012, in regards to Bill 365 – To Extend the Statute of Limitations in Carbon Monoxide Poisoning Cases. This bill was voted on by the Judiciary Committee, and received enough votes to be passed, but the results of this vote were not officially recorded before the end of the session, so Bill 365 was killed.

In July of 2013, four months after testifying before the Judiciary Committee, I was taken to Middlesex Hospital with severe chest pains and was then rushed by ambulance to Hartford Hospital where I was diagnosed and treated for Takotsubo Cardiomyopathy (broken heart syndrome). Takotsubo Cardiomyopathy is caused by emotional stress and constant anxiety which I have, due to CO physically damaging my brain. While recovering in a convalescent rehabilitation facility, I suffered a second Takotsubo attack and I have had three more since then, which have required 911 calls and being picked up by ambulance to be taken to the hospital for treatment.

In conclusion, I urge you to please support and move this bill forward to change the Connecticut Statute of Limitations in regards to the latent effects of carbon monoxide poisoning. This bill will allow the law to be fair to all of the citizens of the State of Connecticut who will regretfully develop serious latent medical problems due to being poisoned by CO. I honestly and sincerely hope that no one will ever need to use this new statute in the future, because if they do need to do so, it will mean they will be going through all of the physical and psychological medical problems that I now have to deal with. Passing this bill will insure that all of the citizens of the State of Connecticut that have been impacted in this manner will be treated fairly under the law, and that they will have one less burden to deal with as they try to put their life back together.

Thank you.